

IPW

PATENT

Atty Docket No.: 10004808-2



In The United States Patent and Trademark Office

Applicant(s): Osamu Samuel Nakagawa **Confirmation No.:** 7685
U.S. Serial No.: 10/690,730 **Examiner:** Laura M. Schillinger
Filed: October 22, 2003 **Group Art Unit:** 2813
For: CONTROLLED COOLING OF A DATA CENTER

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF HAND-DELIVERY WITH THE USPTO

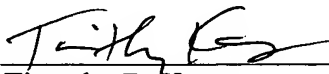
I hereby certify that this correspondence is being deposited with the United States Patent and Trademark Office. This correspondence contains the following document(s):

- 1 sheet of Transmittal Letter for Response/Amendment. (2 copies).
- 2 sheets of Response to Restriction Requirement.

Respectfully submitted,

MANNAVA & KANG, P.C.

On November 17, 2004



Timothy B. Kang
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IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Osamu Samuel Nakagawa

Confirmation No.: 7685

Application No.: 10/690,730

Examiner: Laura Schillinger

Filing Date: Oct. 22, 2003

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Title: CONTROLLED COOLING OF A DATA CENTER

Mail Stop Amendment
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TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- (X) Response/Amendment () Petition to extend time to respond
() New fee as calculated below () Supplemental Declaration
(X) No additional fee
() Other: _____ (fee \$ _____)


CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS	6	MINUS	20	= 0	X \$18	\$ 0
INDEP. CLAIMS	1	MINUS	3	= 0	X \$88	\$ 0
[] FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ \$300	\$ 0
EXTENSION FEE	1ST MONTH \$110.00	2ND MONTH \$430.00	3RD MONTH \$980.00	4TH MONTH \$1530.00		\$ 0
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450.

Respectfully submitted,

Osamu Samuel Nakagawa

By 

Timothy B. Kang

Attorney/Agent for Applicant(s)
Reg. No. 46,423

Date: Nov. 17, 2004



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RESPONSE TO RESTRICTION REQUIREMENT

In response to the Official Action dated October 18, 2004, the following remarks are submitted.

The aforementioned Official Action asserts that the present application contains claims that are directed to two patentably distinct inventions. As identified in that Official Action, these groups are: Group I, Claims 1-13, directed to a method and Group II, Claims 14-19, directed to a device.

A restriction requirement has been imposed requiring an election of one of the two groups on the alleged basis that the above-identified groups are distinct from each other. In addition, the Official Action alleges that the search required for one of the groups is not required for the other group.

In response to that restriction requirement, Applicants hereby elect Group II, directed to Claims 14-19.

The present application was filed as a Divisional Application of U.S. Patent Application Serial No. 09/891,324, filed on June 27, 2001. The present application was also

filed with a preliminary amendment that incorrectly requested the cancellation of Claims 14-19. The preliminary amendment should have requested the cancellation of Claims 1-13 as Claims 1-13 were elected in the parent application. The request for cancellation of Claims 1-13 was therefore a typographical error.

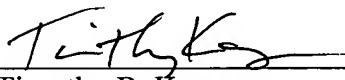
The Examiner is thus respectfully requested to disregard the request to cancel Claims 14-19 in the preliminary amendment filed on October 22, 2003 and to examine and allow elected Claims 14-19.

Should the Examiner believe that a telephone conference with the undersigned would assist in resolving any issues pertaining to the above-identified application, please contact the undersigned at the telephone number listed below. Please grant any required extensions of time and charge any fees due in connection with this request to deposit account no. 08-2025.

Respectfully submitted,

Osamu Samuel Nakagawa

Dated: November 17, 2004



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